



HAMILTON COUNTY LOCAL EMERGENCY PLANNING COMMITTEE

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MINUTES

LEPC Meeting Minutes, January 10, 2007

A meeting of the Hamilton County Local Emergency Planning Committee (LEPC) was held January 10, 2007 at Wally's Restaurant, 6521 Ringgold Rd, in East Ridge, Tennessee. The following constitutes the minutes of that meeting.

Those in attendance were:

Bruce Garner, CFD; **Chairman**
Bill Tittle, Chief, Emer. Mgmt. **V/Chair**
Wayne Stuntz, **Secretary/Treasurer**
Dawn Ford, CHCHD, **V/Chair**
Larry Martin, McKee Foods, **Vice Chair**
Jack Gray, Hyperlast N. America, **V/Chair**
Garish Patel, ALCO Chemical, **Vice Chair**
John Piotter, Greenleaf Env., **Vice Chair**
Andrew Porter, Reg. 4, Atl., **Guest Speaker**
Caroline Williams, LWV
Jimmie Hibbard, TN State Guard
Sandra Polly, TN State Guard
Mike Akins, First Response
John Leach, HEPACO
John Bennett, JIT Terminals
Rich Loope, Norfolk Southern
Tommy Author, NUFOAM
Plantation Pipeline, Robin Taylor

George Sivils, Invista
Karen Dale, INVISTA
Michael James, Marion Environmental
Craig Froehling, Horizon Milling (Guest)
Mike Steele, Chattem Chemicals (Guest)
Randall Herror, CFD
Bill Douglas, ARC
Susan Holmes, TN American Water
Michael Poe, SOFIX
Tim McDonald, City Stormwater Mgmt
Craig Allison, Hawker Powersource
Marcus Cochran, First Response
Susan Holmes, TN American Water
Jim Morgan, VELSICOL
Dusty Rominger, W.R. Grace

Introductory Remarks: Bruce Garner, Chairman, began by welcoming all in attendance and asked for personal introductions.

Old Business:

- Chairman Garner began by opening the meeting up to new membership. There were no new requests for membership.
- Motion to approve November 8, 2006 LEPC Meeting Minutes was made by John Piotter and seconded by Sandra Polly. Motion passed.
- Financial report given by Secretary, Wayne Stuntz. Motion to approve made by Larry Martin, seconded by Bill Douglas. Motion passed.

- **RMP Facilities Membership:** Chairman Garner re-iterated that the LEPC is in the process of trying to boost membership of RMP facilities located in Hamilton County and that Andrew Porter of the U.S. EPA Region 4 based in Atlanta, GA was instrumental in providing an updated list of RMP facilities. Bruce said that we are currently in the

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- process of making contact with RMP facilities who are not LEPC members. He then called on John Piotter to give a brief account of his visit with Eastside Utility—an RMP facility, just prior to our meeting this morning.
 - Mr. Piotter said that during his visit with Mr. Bobby Green of Eastside Utility District he covered such topics as: the LEPC's role; future LPEC training; the LEPC Conference and the distinct possibility that the Utility might host an exercise in the future. John said it was a very productive meeting and Mr. Green said that he would be at the next meeting.
 - Chairman Garner said that members of the Executive Committee would visit Woodbridge Foam, another RMP facility, later on in the day.
- Chairman Garner, recognizing a special guest at the meeting, asked Mr. Gary Burriss with the TN Division of Water Supply if he had any comments he would like to make to the committee.
 - Mr. Burriss said there will be a quarterly meeting of all of the drinking water districts on January 22, at 6:30 p.m. at the North Park Civic Center and suggested that an LEPC representative attend the meeting to introduce the LEPC and discuss mutual interest.
- Chief Tittle said that Hamilton County would soon begin an initiative in Tennessee of "source water protection" against chemical spills that could affect the source water of our water utilities.
- Chairman Garner informed the committee that at the last Executive Committee meeting a vote was taken among Executive members to fill the "First Vice Chair" position that was overlooked in the officer election meeting in September—Dawn Ford, by unanimous vote was elected to that position.

New Business:

Guest Speaker: Mr. Andrew Porter, EPA Region 4

- Chairman Garner then introduced guest speaker, Andrew Porter, Environmental Specialist and Chemist with the U.S. EPA Region 4, out of Atlanta, GA. Mr. Porter gave a very informative overview of issues related to EPA Region 4 and LEPCs.
 - Of particular note, Mr. Porter said that EPA will, in the future, start supporting LEPCs more and said one of his chief concerns was to try to secure grant funds for LEPCs.
 - EPA will support statewide submission of electronic Tier II reports.
 - EPA is offering a free, three-day Cameo/Tier II Submit workshop. Andrew said it could also be a one-day Tier II workshop. He passed a "training workshop signup" sheet around for those interested. The date and time for the workshop to be announced and the class will require a minimum of 15 personnel attend.
 - Mr. Porter briefly discussed enforcement issues that EPA is interested in. First, CRCLA (Section 103) reporting—he said that any spill of a CRCLA chemical over the reportable quantity (RQ) requires the National Response Center to be notified within 15 minutes which triggers notification to the Federal government—and a federal response if the release is significant enough.

- Andrew said that if the spill leaves the site of the facility—and is a threat to the community, then EPCRA (Section 304) reporting comes into play—still requiring a 15 minutes response notification to the LEPC (911 or EMA) and the State Emergency Response Commission (SERC) through TEMA. He also said that for each violation of the 15-minute reporting response time—a \$32,500 fine is assessed.

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- A question and answer period ensued.
 - Chairman Garner cited some recent newspaper headlines on local initiatives possibly related to the Dept. of Homeland Security (DHS) regarding chemical plants and an on-going public notice period through April of this year. He asked Mr. Porter if EPA is involved in what DHS is doing regarding chemical companies developing response plans that will be made public?
 - Andrew said that after 911, EPA was to start looking at site security of chemical companies—however, when DHS was created, site security and terrorist related releases that could harm the community became the job of DHS—EPA was then removed from that responsibility and is now concerned with prevention and mitigation of accidental releases.
 - Chairman Garner asked Mr. Porter to tell us what EPA considered as the main mission of the LEPC—what should our LEPC focus on?
 - Andrew said the main goal of the LEPC is to do emergency planning and preparedness for the community at the local level.
 - Andrew said that each LEPC succeeds or fails based on the leadership in their communities—and Hamilton County has a really good LEPC because of its leadership.
 - Chairman Garner asked if EPA still sponsored the Supplemental Environmental Project (SEP)?
 - Mr. Porter said that EPA cannot enforce any particular kind of SEP, citing examples of: Pollution Prevention, Pollution Reduction, and said at the very bottom is emergency response—citing training as an example. He said that companies can decide which from of SEP they want to do—and EPA can only decline the SEP or approve it
 - Andrew said that when the fine for EPCRA violations, they try to get the company to do emergency response SEPs.
 - Andrew said that a SEP allows EPA to take 75% of a fine and do a SEP and other 25% will go to the US Treasury. Andrew said it must be a donation to the LEPC in the manner of equipment, training, etc.—not money.
 - Larry Martin asked how does EPA view an RMP facilities relationship with LEPC membership and its activities—would be beneficial for all RMP facilities to become LEPC members?
 - Andrew said it is a “win-win” situation for the LEPC and companies both, citing the discussion today about EPA enforcement issues pertinent to a company as an example, and, an LEPC can further disseminate that information back out to others (either those not present or those not yet members). He further said that involvement with an LEPC allows for more feedback and help to deal with environmental issues.

- Andrew said that Tennessee is not an RMP-delegated state—which means that EPA has not delegated authority to Tennessee and some other states to enforce an RMP program—therefore, an RMP being associated with a LEPC will not have any bearing on enforcement of an RMP facility, i.e. as far as an inspection of an RMP facility.

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- A question was asked: “Who decides who is an RMP delegated state?”
 - Andrew said it is between the state and the agency—EPA tells the state there are certain elements necessary before they will delegate authority to a state for a program to look after their own RMP facilities—otherwise authority will not be delegated.

Addressing Change on the Executive Committee

- Chairman Garner announced that Vice Chair Caleb Womack, associated previously with the company Steward, now has changed jobs and is now with Alco Chemical. Since Alco Chemical currently has an Executive Chair position on the LEPC—this creates a vacancy of a Vice Chair on the Executive Committee.
 - Bruce, quoting from the Hamilton County LEPC By-Laws, read from Article III, Section 6 which states:
 - “In the event the First Vice-Chairperson or other Vice-Chairperson vacates his/her position on the Executive Committee for any reason, the position shall be filled by appointment by the Executive Committee, with approval of the LEPC by simple majority.”
 - Bruce said that during the next Executive Committee meeting, the committee would come up with a recommendation to fill the Vice Chair position and present it to the full Committee during the next regular meeting.
- Chairman Garner addressed the issue of printing new Certificates of Membership in the LEPC. Bruce said that instead of printing all the certificates, he asked that those who wished a new certificate to contact him and he would have it printed for handout during the March 2007 meeting.
 - Wayne Stuntz asked Chief Tittle if Hamilton County would undertake the responsibility of printing the new certificates. Chief Tittle acknowledged that this can be done through Emergency Management.
- Chief Bill Tittle made an announcement that Mr. Dave Mitchell, Director of Homeland Security for the State of Tennessee has been appointed as the Commissioner of Public Safety for the State of Tennessee—and praised him highly. Bill said that the TN Department of Homeland Security is now under the Department of Public Safety. Chief Tittle said that he hoped that Mr. Mitchell could at a future date address our Committee.
 - Chief Tittle also said that Mr. Dan Giley, previous Sheriff of Bradley County, is now the new DHS Regional Coordinator for South East Tennessee.
- Chairman Garner said that eighteen (18) members have already signed up for the Cameo Workshop and he asked Mr. Porter if it were possible to have the workshop in February (prior to the next meeting).

- Andrew said that he would check with Ms. Elisa Roper if that were possible and would let Bruce know.

Date and Location of Next Meeting

- Next meeting is scheduled for March 14, 2007 at Wally's Restaurant in East Ridge.
- Meeting adjourned.